

**Council on Educational Services for Exceptional Children  
Meeting Minutes  
September 14, 2011**

**Members**

Stephen  
Nicole  
Sheila  
Mary  
Shary  
Ann  
Teresa  
Lisa  
Jana  
Jill  
Vicki  
Deborah

**Present**

Brechbiel  
Jimerson  
Knapp  
LaCorte  
Maskel  
Maxwell  
Mebane  
Phillips  
Plemmons  
Scercy  
Simmons  
Whitfield

**Members**

Melanie  
Ester  
Sally  
Cathy  
Linda  
Jana  
Jean  
Gloria  
Cynthia

**Absent**

Hester  
High  
Hunter  
Kea  
Nelson  
Plemmons  
Preston  
Upperman  
Wilson

Visitors

Cynthia            Daniels-Hall  
Barbara           Malloy  
Brenda            Monforti  
Jeanna            Mullins  
Cheryl            Posner-Cahill  
Kelli               Still

DPI Staff /

Tish                Bynum  
Mary               Jarrett  
Gay                Lytton  
Kate                Neale  
Mary                Watson  
Ira                   Wolfe

**Welcome / Review of Agenda / Approval of Minutes**

Nicole Jimerson welcomed members and guests. Introductions of members and guests were made. The agenda was reviewed. There was not a quorum to vote on the meeting minutes.

## Agency Update

Exceptional Children Director Mary Watson provided the Council updates on the following:

- Thanked the Council for their input as stakeholders on the State Performance Plan and advisory role to the State Board of Education.
- All of DPI is very busy and involved with the Essential Standards and Race to the Top.
- Summer Institutes were held this past summer with over 2000 participants attending the various, dynamic trainings in core as well as specialty areas.
- There has been a re-organization within the EC Division with a focus on building LEA capacity across the state. The Division has been focusing on training with reading foundations, math foundations, autism modules and positive behavior and intervention support. The Division is beginning to see the fruits of our labors with the data over the past 10 years showing improvement in student outcomes. This past summer the Division incorporated the Visual Impairment Outreach from DHHS. These 19 staff were included in the Sensory Support and Assistive Technology Section under Tom Winton. The Supporting Teaching and Related Services Section now include autism, deaf-blind and the related services of OT, PT and Speech-Language under Sherry Abernethy. However, the Division staff work is very intertwined and collaboration within all Sections is a constant.
- The 61<sup>st</sup> Conference on Exceptional Children is October 31 – November 2, 2011 in Greensboro at the Koury Convention Center. Council members receive a free general conference registration. The Council was also made aware of a parent strand of sessions at the conference.
- Exceptional Children's Assistance Center (ECAC) in collaboration with EC Dispute Resolution Consultants are conducting a webinar about resolving disagreements. The webinars are September 21, 22, and 23.
- This past session of the General Assembly created a lot of work for the agency and division. One of these items is the tax credit bill. The Policy, Monitoring and Audit (PMA) Section will provide guidance for LEAs after consultation with the Attorney General's Office. There is concern that the protections of IDEA will be null and void for children with disabilities placed in this situation. PMA has met with nonpublic education entities in order to respond to questions that relate to special education/IDEA. Council members provided feedback of initial concerns, occurrences and accountability associated with the passing of this bill. Implementation of the policy at the local level is difficult. Parents look outside public school system for services especially when IEP implementation is not going well. The Council hopes the relationship with parents and LEAs can be strengthened in order to avoid placements other than the LEA.
- Another piece of legislation that is requiring a great deal of effort is the Residential School legislation. Legislation requires DPI to report by January 15 to the Joint Legislative Education Oversight Committee a plan to close one of the three schools and consolidate the programs at the two remaining residential schools. The legislation contained five points to consider:
  - 1-minimization of impact on services to deaf and blind students currently serviced by the residential schools;
  - 2-minimization of costs of modifications at the two remaining residential schools to accommodate students from the closed school;

- 3-maximization of funds generated or net savings to the State from costs avoided due to the closure of one school and the sale or transfer to other State agencies of the school campus and other physical assets;
- 4-minimization of required travel for students of the school that is closed; and
- 5-historical and cultural significance of the school.

The EC Division has assisted the core committee with the development of a strategic plan and employed an outside facilitator (David Mills) to assist with the process. Staff from all three schools will have an opportunity to provide input. Public hearings will take place on Sept. 22 in Morganton; Sept. 24 in Wilson; and Sept. 28 in Raleigh. Outcomes will be presented to the State Board of Education in November for discussion and action in December.

- The Office of Special Education Programs audit visit is November 14 – 18, 2011. The Council will be involved in various ways. ECAC will participate in the parent portion as a stakeholder. Student outcomes – especially graduation rate - will also be reviewed.
- The Memorandum of Understanding between the DPI/DHHS regarding Private Residential Treatment Facilities is in draft form and being reviewed by legal counsel of both agencies. The MOU will spell out each entity's responsibilities. The LEA/SEA has an obligation to educate the child.

### **New & Seasoned Membership Orientation**

Jeanna Mullins, Technical Assistance Provider with the Mid-South Regional Resource Center, serves on the Office of Special Education Programs' planning committee for State Advisory Panels. State Advisory Panel (SAP) is a term from federal legislation. The NC State Advisory Panel is the Council on Educational Services for Exceptional Children. SAP and parent participation is important to OSEP.

Ms. Mullins reminded the Council that every state has a SAP and their purpose is to provide policy and procedural guidance with respect to special education and related services for children with disabilities. Advocacy is not the role of a SAP member. Focus should be given to consensus on the guidance provided.

The Council should:

- 1-Advise the SEA of unmet needs within the State in the education of children with disabilities;
- 2-Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
- 3-Advise the State in developing evaluations and data reporting for dropout rates, graduation rates, discipline and participation in statewide assessment (SPP/APR reports the data);
- 4-Advise the State in developing corrective action plans to address findings identified in federal monitoring reports under Part B; and
- 5-Advise the State in developing and implementing policies relating to the coordination of services for children with disabilities; and

The SEA must provide the Council with Due Process Hearing findings and decisions and make those findings and decisions available to the public.

The Council also has an important role in the OSEP verification visit. Areas of emphasis during OSEP's verification visit are general supervision, fiscal accountability and data. The Council should be familiar with the new results component of the visit, know the areas of emphasis, participate in OSEP conference call, suggest improvement strategies to correct noncompliance from OSEP verification visit, and request the State director and/or SEA staff to report back on the OSEP verification visit.

Within the State Performance Plan (SPP) / Annual Performance Report (APR), the Council must provide guidance in developing measurable and rigorous targets for indicators and use the SPP/APR data to help generate Council priorities. The SEA must report regularly to the Council on the progress of meeting targets. The Council must know and understand NC's level of determination and what each level of determination really means.

There is a national SAP website that is done in collaboration with OSEP to ensure accurate information. There are quarterly webinars. The next webinar is in November. North Carolina is commended for their open dialog with the State director.

Some SAPs report annually to the SBE. Sometimes in the beginning, there is not much initial response from the SBE, but over time SBE becomes aware of the SAP and request assistance/response on issues.

Some state SAPs do have subcommittees that do a great deal of work in between SAP meetings. It is recommended to limit that number of subcommittees and/or SAP priorities to three to four. The priorities should be carefully evaluated, ie, what is needed, what is feasible to take on, SAP member required time commitment. Some priorities will not change overnight, but can take up to four to five years, such as graduation rate.

### **OSEP Survey Questions for SAP**

Jeanna provided an overview introduction of the OSEP visit.

Key points to remember when responding to OSEP SAP survey questions.

Your role on the SAP

Your experiences

You should discuss group questions together

You do not have to respond to each question

The responses should be summarized

The Council began discussing and providing responses to the OSEP Survey questions. A webinar was scheduled for Oct. 6 to complete the process.

### **Dispute Resolutions**

Kate Neale provided the Council with a summary of the end-of-year data regarding all forms of dispute resolution.

The meeting adjourned.